



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dep't Reg.

PAK. 337

In Re the Application of:

VILEN et al.

Serial No.: 09/513,024

Filed: February 25, 2000

Atty. File No.: 2879-64

For: "PRODUCT AND METHOD FOR  
TREATMENT OF CONDITIONS  
ASSOCIATED WITH RECEPTOR-  
DESENSITIZATION"

Group Art Unit: 1644

Examiner: Roark, J.

REQUEST FOR REFUND  
37 CFR 1.26

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE  
ADDRESSED TO THE COMMISSIONER FOR PATENTS,  
WASHINGTON, DC 20231 ON 12/10/02  
SHERIDAN ROSS, P.C.

BY:

*Angela Dallas*

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants request a refund of \$460 which was incorrectly debited from Applicants' attorney deposit account. On July 2, 2002, a request for a three month extension of time was filed in the above-identified application, with authorization to debit the requisite fee from Deposit Account No. 19-1970. Applicant had established small entity status in this application as evidenced by the attached Verified Statement Claiming Small Entity Status and, as of July 2, 2002, this status was still proper and desired. Therefore, the requisite fee should have been \$460. However, on July 2, 2002, as shown on the attached Deposit Account Statement for Deposit Account No. 19-1970, the U.S. Patent Office debited \$920 for an extension in the third month, which is the large entity fee. Applicants are entitled to a refund of one half the fee that was debited on July 2, 2002 in the amount of \$460. Please credit Deposit Account No. 19-1970 for the overpayment.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:

*Angela Dallas*

Angela K. Dallas  
Registration No. 42,460  
1560 Broadway, Suite 1200  
Denver, CO 80202-5141  
(303) 863-9700

Date: December 21, 2002

03-03-02



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NON-PROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of National Jewish Medical and Research Center, a Colorado nonprofit organization with a place of business at 1400 Jackson Street, Denver, Colorado 80206, a:

- UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
 TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))  
 NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE Colorado)  
(CITATION OF STATUTE Colo. Rev. Stat. § 7-20-102(10)(1986))  
 WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
 WOULD QUALIFY AS NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE                 )  
(CITATION OF STATUTE                 )

I hereby declare that the non-profit organization identified above qualifies as a non-profit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "PRODUCT AND METHOD FOR TREATMENT OF CONDITIONS ASSOCIATED WITH RECEPTOR-DESENSITIZATION" identified as Attorney File No. 2879-64, described in application Serial No. 09/513,024, filed on February 25, 2000.

I hereby declare that rights under contract or law have been conveyed to and remain with the non-profit organization with regard to the above-identified invention.

If the rights held by the non-profit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: 5/23/00

By 

Name James D. Crapo, M.D.

Title Executive Vice President, Academic Affairs

07/17 2	09664630	3673-18	202	\$168.00	\$6,632.00
07/18 36	SUBSCRIPTION		561	\$3.00	\$6,629.00
07/22 221	78145857		361	\$325.00	\$6,304.00
07/23 38	10109737	4544-1	205	-\$65.00	\$6,369.00
07/23 324	75926418		364	\$450.00	\$5,919.00
07/24 26	10024460	3161-18-C1-1	216	\$145.00	\$5,774.00
07/25 1	09525043	2879-67	115	\$110.00	\$5,664.00
07/25 2	09525043	2879-67	116	\$400.00	\$5,264.00
07/25 32	09264497	T 660001.480	126	\$180.00	\$5,084.00
07/25 39	SUBSCRIPTION		561	\$6.00	\$5,078.00
07/25 54	PCT/US02/23165	7066-1-CIP3-	566	\$20.00	\$5,058.00
07/25 65	09701267		704	-\$5.00	\$5,063.00
07/30 17	PAYMENT		701	-\$10,000.00	\$15,063.00
07/31 1	09664630	3673-18	202	\$252.00	\$14,811.00
07/31 103	75595183		704	-\$30.00	\$14,841.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$6,577.00	\$10,482.00	\$18,746.00	\$14,841.00

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